done, without being subject to the orders of the latter in respect to the details of the work". 26 Cyc. 970. The county was, then, not bound to exercise supervision and there is nothing in the facts which indicates that the work was not directed solely by the contractor. The county did not consciously accept the defects of the bridge nor take to itself the negligence of the independent contractor. What happened in fact was a mere change of possession and on this topic BIGELOW, CASES ON TORTS, 618, says: "If the injury occurs by reason of the defendant's default, what matters it that he had not control over the thing at the time? The change of control is nothing, unless the original defect has been increased thereby, so that it cannot be proved that the original negligence of the defendant caused the damage." Granting, however, that the acceptance by the county and its subsequent failure to repair the bridge constituted the intervention of an independent responsible agency the question naturally presents itself: Does such intervention relieve the contractor of the original liability which an application of the doctrine of proximate cause inferentially admits? It would seem that the conduct of the county can hardly be classed as other than that which the contractor was under obligation to anticipate and endeavor to prevent. He knew of the defects and was also aware that they were not discoverable upon reasonable inspection. Under these circumstances, it appears to be neither illogical nor unjust to hold that the contractor was bound to foresee the almost inevitable result of his own neglect. Acceptance by the county, subsistence of the inherent weaknesses of the bridge and consequent accidents, were in view of the facts and from the defendant's standpoint, sequels "likely to happen in the ordinary course of events." *Stone* v. *Boston, etc., Railway Co.*, 171 Mass. 536, 540.

INTOXICATING LIQUORS—REED AMENDMENT—POWER OF STATE OFFICERS TO ARREST PERSONS CARRYING LIQUOR THROUGH DRY STATES.—Defendant was indicted for carrying liquor into Virginia a dry state. The evidence furnished in the bill of particulars showed that he was transporting liquor on a through passenger ticket from Maryland to North Carolina. He was arrested while the train stopped temporarily at Lynchburg, Va. On a motion to quash, it was *held* that the Reed Amendment, rightly construed, did not embrace the act which it was admitted that the prosecution could prove. *United States* v. *Gudger* (U. S. Supreme Ct., No. 408, April 14, 1919).

The court said that the terms of the Reed Amendment did not prohibit the movement of liquor in interstate commerce through a dry state to another state. The temporary stop at Lynchburg, Va., was not enough to give the liquor a situs therein or to interrupt the interstate commerce character of the trip. Similarly it has been held that sheep being driven along the road from one state to another were in interstate commerce and not subject to the state's taxing power even though they grazed as they were driven. *Kelley* v. *Rhoads* (1902), 188 U. S. 1. In cases on the question of the right of the state to tax property temporarily within the state, though intended by the shipper to be forwarded ultimately, the property was taken from the hands of the carrier to serve some purpose of the shipper, as grading grain, *People*

v. *Bacon* (1909), 243 Ill. 313, (affirmed 227 U. S. 504), 44 L. R. A. (N. S.) 586; separating oil, *General Oil Co.* v. *Crain* (1908), 209 U. S. 211; to allow carload shipments, *Merchants' Trans. Co.* v. *Des Moines* (1905), 128 Ia. 732. There was nothing in the instant case to divest it of its interstate character. The suggestion that the construction adhered to would make evasion of the law easy was rejected on the ground that a different holding would be "an enactment by construction of a new and different statute". That the Reed Amendment is a proper exercise by Congress of its power over interstate commerce see 17 MICH. LAW REV. 511.

INTOXICATING LIQUOR—RIGHT OF STATE TO PROHIBIT POSSESSION THEREOF. —The Georgia prohibitory law, approved in November, 1916, to become effective May 1, 1917, prohibited the possession of more than one gallon of intoxicating liquor. Under it the defendant was convicted of having in his possession more than the forbidden quantity. He asserted that the liquor had been acquired before May 1, 1917; and contended that the statute, if construed to apply to liquor so acquired, was void under the Fourteenth Amendment. It was *held* that the defendant could not stay the exercise of the State's police power by acquiring such property, and that the defendant, acquiring it after the enactment of the statute, took it with notice of its infirmity that its possession would become a crime. *Barbour* v. *The State* (U. S. Sup. Ct. No. 191, April 14, 1919), affirming *Barbour* v. *The State* (1917), 146 Ga. 667.

The majority of the early cases denied the right of the state to prohibit the mere possession of liquor for personal use as violating the Fourteenth Amendment. *Kentucky* v. *Campbell* (1909), 133 Ky. 50, 24 L. R. A. (N. S.) 172 and note; *Kentucky* v. *Smith* (1915), 163 Ky. 227, L. R. A. 1915 D 172. These cases considered that to deny the right of a person to possess liquor was not reasonably necessary to protect the public health, public morals, or public safety, and, consequently, an improper exercise of the police power and the abridgement of the privileges and immunities. At this time the purpose of prohibition was said to be the abolition of the saloon and the prevention of general traffic therein, not the prevention of consumption. FREUND, POLICE POWER, Sec. 453, 454. In *Crane* v. *Campbell* (1917), 245 U. S. 304, the Supreme Court of the United States settled the question, upholding the right of a state to prohibit possession of liquor, but it did not there appear when the liquor was acquired. These decisions leave open the question of the right of the state to make the mere possession of liquor acquired before the enactment of the statute a crime. As in the instant case, the court previously held that this question was not before it. *Bartermeyer* v. *Iowa* (1873), 18 Wall. 129. In the state courts there is a conflict. In the early case of *Wynehamer* v. *The People* (1856), 13 N. Y. Rep. (Kernan) 378, a statute prohibiting traffic in intoxicating liquors was held void for the reason that the law operated so rigidly on property innocently acquired under previous laws as to amount to depriving the owner of his property. In Washington a prohibitory law primarily purposing to prevent the sale and barter of intoxicating liquors, though also making possession thereof unlawful, was held not to apply to liquor acquired and possessed for personal use before the statute